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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 BRIAN EGGLESTON,

10 Petitioner,

11 v.

12 MARGARET GILBERT,

Respondent.

CASE NO. 3:16-CV-05159-RBL-DWC

ORDER CONTINUING STAY

13 The District Court has referred this action to United States Magistrate Judge David W.
14 Christel. On February 29, 2016, Petitioner Brian Eggleston filed a federal habeas Petition,
15 pursuant to 28 U.S.C. § 2254, seeking relief from a state court conviction. Dkt. 1.¹ On November
16 8, 2016, the Court stayed the case pending resolution of Petitioner's state personal restraint
17 petition ("PRP"). *See* Dkt. 12. The Court continued the stay on February 3, 2017, and directed
18 Petitioner to file a status report regarding the status of his state proceedings by May 5, 2017. Dkt.
19 14. On May 1, 2017, Petitioner filed a status report stating the PRP was ready for consideration
20 by the Washington Supreme Court Commissioner. Dkt. 15.

21 As the Court previously stayed this case pending resolution of the PRP and as the PRP is
22 still pending, the Court finds this case shall remain stayed. Petitioner is directed to provide the

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24 ¹ On March 16, 2016, Petitioner filed an Amended Petition which raised a new, unexhausted ground for relief. Dkt. 6. The Amended Petition is the operative petition in this case.

1 Court with a status update on or before August 4, 2017. Further, if the state court dismisses or
2 resolves the PRP, Petitioner is ordered to inform the Court and file a motion to lift the stay
3 within 30 days after the state court action.

4 Dated this 1st day of May, 2017.

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7 David W. Christel
8 United States Magistrate Judge
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